IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1019 OF 2006
IN
SECOND APPEAL NO. 806 OF 2006

Sou. Minal Manoj Kheer & Anr. ...Applicants
V/s.
Chief Officer, Nagar Parishad,
Ratnagiri. ...Respondent

Mr.Suresh Sabrad i/b. Mr.R.D. Suryawanshi for the Applicants.

CORAM : V.M. KANADE, J.

DATED : AUGUST 27, 2007

P.C. :-

. The petitioner who is the original plaintiff constructed the shed on the premises and deemed to pay the property tax to the Municipal Council. On a complaint being filed by co-owner, Municipal Council issued a notice for demolition of the said structure. Suit filed by the petitioner was allowed, however, in appeal, decree was set aside. The second appeal filed by the petitioner herein has been admitted. Respondent - Municipal Council has been accepting the property taxes which are regularly paid by the petitioner.

2. In my view, prima facie case has been made out

for grant of interim relief in terms of prayer clause (a). Hence, pending the hearing and final disposal of the appeal, there shall be ad-interim relief in terms of prayer clause (a).

. Civil Application, accordingly, is disposed of.

(V.M. KANADE, J.)